

BEFORE THE FEDERAL ELECTION COMMISSION

2012 DEC 20 PM 2:49

In the Matter of)

) RAD REFERRAL 12L-20

CELA

Carney for Congress and Christopher P.)

Carney in his official capacity as)

treasurer)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that in the executive session held on December 18, 2012, the Commission took the following actions in the above-captioned matter:

1. Failed on a vote of 3-3 to:

- a. Open a MUR in RR 12L-20.
- b. Find reason to believe that Carney for Congress and Christopher P. Carney in his official capacity as treasurer violated 2 U.S.C. § 434(b).
- c. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated October 15, 2012.
- d. Enter into conciliation with Carney for Congress and Christopher P. Carney in his official capacity as treasurer prior to a finding of probable cause to believe.
- e. Approve the conciliation agreement as recommended in the First General Counsel's Report dated October 15, 2012.
- f. Approve the appropriate letters.

Commissioners Batteredly, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

2. Decided by a vote of 5-1 to:

- a. Open a MUR in RR 12L-20. MUR # 6708
- b. Find reason to believe that Carney for Congress and Christopher P. Carney in his official capacity as treasurer violated 2 U.S.C. § 434(b).

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- c. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated October 15, 2012, subject to technical and conforming edits consistent with the meeting discussion.
- d. Enter into conciliation with Carney for Congress and Christopher P. Carney in his official capacity as treasurer prior to a finding of probable cause to believe and instruct the Office of the General Counsel to negotiate pro-compliance measures.
- e.
- f. Approve the appropriate letters.

Commissioners Bauerly, Hunter, McGahn II, Petersen, and Weintraub voted affirmatively for the decision. Commissioner Walther dissented.

Attest:

December 20, 2012
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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